IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

INCOME TAX APPEAL NO. 734 OF 2002

The Commissioner of Income Tax-10 Mumbai Appellant

vs.

M/s.Premier Automobiles Ltd. Respondent

Mr.Vijay Kantharia i/b. Mr.K.B. Rao for the appellant.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ

DATED : 10th September 2004

P.C.

Mr.Vijay Kantharia, the learned counsel for the revenue submits that the issue raised in the appeal is concluded by the judgment of the Supreme Court in the case of Commissioner of Income-tax v. Indo Nippon Chemicals Co.Ltd., 261 ITR 265. He, therefore, prays for withdrawal of this appeal.

2. Appeal is allowed to be withdrawn.

3. Refund of Court fee as per law.

(R.M. LODHA, J.)

(J.P. DEVADHAR,J.)